

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**CHAMBERS OF
MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE**

**MARTIN LUTHER KING COURTHOUSE
50 WALNUT ST.
ROOM 2060
NEWARK, NJ 07101
973-297-4903**

June 30, 2011

Mordechai I. Lipkis, Esq.
350 Broadway, Suite 1105
New York, NY 10013

ORDER TO SHOW CAUSE

**RE: BanxCorp v. Bankrate, Inc.
Civil Action No. 07-3398 (SDW)**

**BanxCorp v. Lending Tree
Civil Action No. 10-2467 (SDW)**

Dear Mr. Lipkis:

In response to the Order To Show Cause, Mr. Brian D. Peroff submitted a letter to the Court advising that he was admitted to practice law since December 2, 2009 but “due to an oversight” failed to pay his dues to the New Jersey Lawyers’ Fund for Client Protection. As such, Mr. Peroff was not a lawyer in good standing and not authorized to engage in the practice of law in New Jersey.¹ The Court also notes that Mr. Peroff had provided a New York address at his deposition but has a West Orange, New Jersey address in his letter to the Court (Document No. 253).

Mr. Lipkis has stated that he was not aware of Mr. Peroff’s licensing problem at the time he retained him to defend Mr. Mel’s deposition.

Under the circumstances, the Court will discharge the Order To Show Cause. However, Mr. Lipkis is hereby cautioned that, in the future, it is incumbent upon him to ensure that all lawyers who are retained on behalf of the plaintiff shall (1) file a Notice of Appearance to this Court; (2) be

¹ Mr. Peroff has since indicated that he has paid the delinquent amount to the New Jersey Lawyers’ Fund for Client Protection. Mr. Peroff is ordered to provide this Court with a copy of his cancelled check and letter of good standing from the NJLFCP by or before July 15, 2011.

licensed, practicing lawyers in good standing for the State of New Jersey; and (3) be fully familiar with the facts of this case. This is a warning. Failure to do so again will result in revocation of Mr. Lipkis' pro hac status.

SO ORDERED.

s/Madeline Cox Arleo

MADELINE COX ARLEO

UNITED STATES MAGISTRATE JUDGE

Orig: Clerk

cc: Hon. Susan D. Wigenton, U.S.D.J.
Brian Peroff, Esq. (c/o Mr. Lipkis)
Lawrence C. Hersh, Esq.
Scott Thompson, Esq.
File